

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION

PHILLIP DANIEL, on behalf of himself and all)	
others similarly situated,)	
)	
<i>Plaintiff,</i>)	
)	
v.)	Civil Action No.: 3:20-cv-00655-RJC-DCK
)	
STERICYCLE, INC.; and SHRED-IT USA,)	
LLC,)	
)	
<u><i>Defendants.</i></u>)	

**PLAINTIFF’S UNOPPOSED MOTION FOR PRELIMINARY APPROVAL OF
PROPOSED CLASS AND COLLECTIVE ACTION SETTLEMENT**

Pursuant to Fed. R. Civ. P. 23 and 29 U.S.C. § 216(b), and based on the accompanying memorandum of law, Plaintiff Phillip Daniel (“Plaintiff”) respectfully moves this Court, consistent with the Parties’ Stipulation of Class and Collective Action Settlement and Release of Claims (“Settlement Agreement”), for an order: (1) asserting jurisdiction over the claims alleged, Plaintiff and Defendants in this action, and the implementation and administration of the proposed Settlement Agreement; (2) preliminarily approving the proposed class and collective action settlement; (3) provisionally certifying the Putative Rule 23 Settlement Class (as defined in the Settlement Agreement) for purposes of settlement only; (4) appointing Plaintiff’s counsel as Class Counsel; (5) approving and appointing CPT Group, Inc. as Settlement Administrator; (6) approving the proposed Settlement Notice and notice plan; and (7) setting a date for a final approval hearing that is no earlier than one-hundred (100) calendar days from the date after the motion for preliminary approval is filed. The proposed order is submitted herewith.

Counsel for Plaintiff have conferred with counsel for Defendants Stericycle Inc. and Shred-it USA, LLC (“Defendants”) and, consistent with the Settlement Agreement, Defendants do not

oppose the instant motion for purposes of settlement.

Respectfully submitted, this August 31, 2023.

/s/ Gilda Adriana Hernandez

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CERTIFICATE OF SERVICE

I hereby certify that on August 31, 2023, I electronically filed the foregoing true and accurate copy of **PLAINTIFF'S UNOPPOSED MOTION FOR PRELIMINARY APPROVAL OF PROPOSED CLASS AND COLLECTIVE ACTION SETTLEMENT** with the Court using the CM/ECF system, and have thereby electronically served the document to the following:

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